

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NADENE SAMMANN, *et al.*,

Plaintiffs,

v.

ESTATE OF ELIZABETH SAMMANN,  
*et al.*,

Defendants.

Case No. C05-0929L

ORDER GRANTING PLAINTIFFS'  
MOTION TO CONTINUE  
DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT

This matter comes before the Court on plaintiffs' motion for a continuance of defendants' motion for summary judgment. (Dkt. #42). Defendants' motion is currently noted for consideration on December 9, 2005. Plaintiffs seek a continuance that renotes the motion for February 7, 2006.<sup>1</sup>

Plaintiffs state that they need additional time to conduct discovery. Specifically, they allege that defendants have a Generation Skipping Trust document in their

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<sup>1</sup> Plaintiffs initially moved for a continuance until January 13, 2006, but in their reply, requested a continuance until February 7, 2006.

1 possession which plaintiffs do not have, but which is essential to their claims. However,  
2 defendants' motion for judgment on the pleadings is based on legal issues, so discovery is  
3 not necessary. Plaintiffs also assert that they have not had sufficient time to prepare their  
4 response because they have spent time drafting the Joint Status Report and their other  
5 motions in this case. Defendants argue that a continuance is not warranted because they  
6 have already given plaintiffs extra time to respond by noting their motion for the fifth  
7 Friday after service, rather than the fourth Friday. Defendants also have an interest in the  
8 expeditious resolution of this matter. After considering these factors and plaintiffs' *pro*  
9 *se* status, the Court finds that plaintiffs have shown good cause for a continuance to allow  
10 them sufficient time to prepare their response.

11 Accordingly, plaintiffs' motion for a continuance is GRANTED (Dkt. #42). The  
12 Clerk of the Court is directed to renote defendants' motion for judgment on the pleadings,  
13 or in the alternative for summary judgment (Dkt. #28) to February 10, 2006.

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15 DATED this 5th day of December, 2005.

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18 Robert S. Lasnik  
19 United States District Judge  
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